

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

SCHOLZ DESIGN, INC.

Plaintiff,

vs.

COLDWELL BANKER PRIME PROPERTIES, INC.  
d/b/a COLDWELL BANK PRIME PROPERTIES,  
DD&P REALTY, INC., JAMES ANDREWS CUSTOM  
HOMES, INC., and DRAFTICS, LTD.,

Defendants.

**DEFAULT JUDGMENT**

Case No. 08-CV-0804  
DNH/DRH

U.S. DISTRICT COURT  
ND. OF N.Y.  
FILED

DEC 04 2008

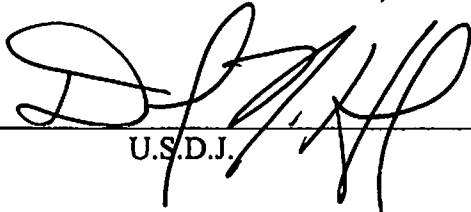
LAWRENCE K. BAERMAN, Clerk  
UTICA

This action having been commenced on July 24, 2008 by the filing of the Summons and Complaint, and a copy of the Summons and Complaint having been served upon Defendants DD&P Realty, Inc., James Andrews Custom Homes, Inc. and Draftics, Ltd. pursuant to New York Civil Procedure Law and Rules 311 and Business Corporation Law §304 and a Certificate of Default having been entered by the Clerk with respect to such Defendants' failure to appear and by Motion dated October 22, 2008, Plaintiff having moved for the entry of a default judgment, and upon due deliberation, it is

ORDERED, ADJUDGED AND DECREED: That Plaintiff have judgment: (a) against Defendant DD&P Realty, Inc. in the sum of \$120,000.00 plus attorneys' fees and disbursements in the sum of \$4,046.00 for a total judgment against this Defendant in the sum of \$124,046.00; (b) against Defendant James Andrews Custom Homes, Inc. in the sum of \$30,000.00 plus attorneys' fees and disbursements in the sum of \$4,046.00 for a total judgment against this Defendant in the sum of \$34,046.00; and (c) against Defendant Draftics, Ltd. in the sum of \$30,000.00 plus attorneys' fees and disbursements in the sum of \$4,046.00 for a total judgment against this Defendant in the sum of \$34,046.00, and let Plaintiff have execution thereon; however, Plaintiff shall not be entitled to actually recover the award of attorneys' fees and disbursements of \$4,046.00 more than once.

Dated: Utica, New York

December 4, 2008

  
U.S.D.J.